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**COUNSEL FOR ACE GRINDING & MACHINE CO.**

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

In re:

	)	Chapter 11
SUPERIOR AIR PARTS, INC.	)	
	)	Case No. 08-36705
	)	
Debtor.	)	
	)	

**MOTION OF ACE GRINDING & MACHINE CO. FOR ALLOWANCE AND  
PAYMENT OF ADMINISTRATIVE EXPENSE CLAIM UNDER 11 U.S.C. § 503(b)(9)**

**NO HEARING WILL BE CONDUCTED HEREON UNLESS A  
WRITTEN RESPONSE IS FILED WITH THE CLERK OF THE UNITED  
STATES BANKRUPTCY COURT AT THE EARLE CABELL BUILDING,  
1100 COMMERCE STREET, ROOM 1254, DALLAS, TEXAS 75242  
BEFORE CLOSE OF BUSINESS ON FEBRUARY 18, 2009, WHICH IS  
TWENTY (20) DAYS FROM THE DATE OF SERVICE HEREOF.**

**ANY RESPONSE MUST BE IN WRITING AND FILED WITH THE  
CLERK, AND A COPY MUST BE SERVED UPON COUNSEL FOR THE  
MOVING PARTY PRIOR TO THE DATE AND TIME SET FORTH  
HEREIN. IF A RESPONSE IS FILED A HEARING WILL BE HELD  
WITH NOTICE ONLY TO THE OBJECTING PARTY.**

**IF NO HEARING ON SUCH NOTICE OR MOTION IS TIMELY REQUESTED, THE RELIEF REQUESTED SHALL BE DEEMED TO BE UNOPPOSED, AND THE COURT MAY ENTER AN ORDER GRANTING THE RELIEF SOUGHT OR THE NOTICED ACTION MAY BE TAKEN.**

Ace Grinding & Machine Co. ("Claimant"), hereby moves this Court for Allowance and Payment of Administrative Expense Claim Under 11 U.S.C. § 503(b)(9) (the "Motion"). In support of the Motion, Claimant states as follows:

**BACKGROUND AND JURISDICTION**

1. On December 31, 2008 (the "Commencement Date"), Superior Air Parts, Inc. (the "Debtor"), filed a voluntary petition for relief under chapter 11 of Title 11 of the United States Code (the "Bankruptcy Code").

2. The Court has jurisdiction over this Motion pursuant to 28 U.S. C. §§ 157 and 1334.

3. This is a core proceeding pursuant to 28 U.S.C. § 157(b)(2).

4. Venue of the Debtor's case and this Motion is proper in this district pursuant to 28 U.S.C. §§ 1408 and 1409.

5. Within the 20 days before the Commencement Date, Claimant supplied goods to the Debtor in the ordinary course of business which were received by the Debtor, and for which Claimant has not been paid (the "Administrative Expense Goods"). The value of the Administrative Expense Goods delivered is **\$14,528.48** (the "Administrative Expense Claim"). The invoices attached collectively hereto as **Exhibit A** summarize (1) the goods provided by Claimant, (2) the invoice numbers underlying the Administrative Expense Claim, and (3) the invoice amounts. The bills of lading demonstrating delivery are attached as **Exhibit B**.

**RELIEF REQUESTED**

**Allowance of Administrative Expense Claim Under 11 U.S.C. § 503(b)(9)**

6. Section 503(b)(9) of the Bankruptcy Code provides:

After notice and a hearing, there shall be allowed administrative expenses, other than claims allowed under Section 502(f) of this title, including –

\*\*\*\*

The value of any goods received by the debtor within 20 days before the date of commencement of a case under this title in which the goods have been sold to the debtor in the ordinary course of such debtor's business.

A seller of goods to a debtor need not make a written demand on the debtor in order to assert its rights under Section 503(b)(9). See 11 U.S.C. § 546(c).

7. In this case, the Administrative Expense Goods were (1) received by the Debtor within 20 days of the Commencement Date and (2) were sold to the Debtor in the ordinary course of the Debtor's business.

8. Thus, Claimant is entitled to an allowed administrative expense against the chapter 11 bankruptcy estate of Debtor in the amount of **\$14,528.48**.

9. Attached hereto as **Exhibit C** is the proposed order (the "Order") granting the relief requested herein.

WHEREFORE, Claimant respectfully requests that this Court enter the Order and grant such other and further relief as the Court deems appropriate in the circumstances.

Dated: January 29, 2009

Respectfully submitted,

**KANE RUSSELL COLEMAN & LOGAN PC**

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- and -

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**COUNSEL FOR ACE GRINDING & MACHINE CO.**

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing document was served (i) by filing the Motion via the Court's electronic noticing system (ECF) to the parties receiving notice via ECF, and to (ii) the Debtor, Debtor's counsel, parties requesting notice, and parties listed below and on the attached Creditor Matrix by first class mail, postage prepaid on this 29th day of January, 2009.

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